

Institutional Autonomy and Academic Freedom in Post-Soviet Countries: A Review of the Baltic and South Caucasus States

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| Abstract

This study examines the legal regulation and practical enforcement of institutional autonomy and academic freedom in the higher education systems of post-Soviet countries, with a particular focus on the Baltic States (Estonia, Latvia, Lithuania) and the South Caucasus (Georgia, Armenia, Azerbaijan). Higher education reforms in these regions aim to strengthen academic independence and enhance the degree of institutional autonomy, both of which are crucial for the proper functioning of modern universities. The article adopts a qualitative comparative approach, the analytical criteria and scope of which are set out in the following methodology section.

Comparative analysis reveals that the legal foundations of institutional autonomy and academic freedom are defined within legal acts of varying hierarchical levels. In some countries, these rights are enshrined in the constitution, whereas in others they are regulated by legal instruments subordinate to the constitution. This discrepancy can affect the effectiveness of their protection. Moreover, beneficiaries within the academic sphere – including faculty members, researchers, and students – often lack a clear understanding of the content and scope of these rights, which further complicates their practical enforcement.

The findings indicate that despite the existence of formal legal regulations, the level of protection for institutional autonomy and academic freedom varies significantly between countries. These variations are often influenced by legal nuances as well as a general lack of awareness and understanding of what academic freedom and institutional autonomy entail. This study underscores the critical role of legal instruments in the process of higher education reform and offers recommendations for improving the legal environment and its enforcement. Enhancing these frameworks will enable universities to maintain high academic standards and institutional independence.

Keywords: Institutional Autonomy, Academic Freedom, Higher Education, Post-Soviet Countries, Legal Framework, Higher Education Reform.

1. Introduction

Academic freedom and institutional autonomy are recognized as fundamental principles of contemporary higher education systems and are closely linked to the quality of teaching and research, the democratic governance of universities, and their broader societal mission¹. In European political and academic discourse, these principles are increasingly understood not merely as professional or sector-specific values, but as integral components of the broader constitutional order, grounded in human rights, the rule of law, and institutional accountability². At the same time, their legal definition and practical implementation are significantly shaped by national historical legacies, governance traditions, and the established relationships between the state and universities³.

In post-Soviet countries, the transformation of higher education systems has taken place within a particularly complex context⁴. The dismantling of the centralized governance model required not only legislative reforms, but also profound cultural and institutional changes aimed at moving away from a system characterized by hierarchical control, political oversight of academic activity, and the absence of genuine university self-governance⁵. Although a significant number of post-Soviet states have formally embraced the concepts of academic freedom and institutional autonomy – often in connection with processes of European integration – the extent to which these principles have been embedded in constitutional frameworks, sectoral legislation, and everyday institutional practice varies considerably across regions⁶.

This article examines these differences through a comparative analysis of the Baltic States (Estonia, Latvia, and Lithuania) and the South Caucasus countries (Georgia, Armenia, and Azerbaijan). Although all of these countries share a common Soviet legacy and have, in various ways, participated in European higher education reforms, including the Bologna Process, the trajectories of academic freedom and institutional autonomy have diverged markedly⁷. Early and consistent integration of the Baltic States into the European Union has contributed to the development of a governance environment in which constitutional guarantees, quality assurance mechanisms, and institutional practices function as mutually reinforcing elements⁸. By contrast, in the South Caucasus, the legal recognition of these principles often coexists with persistent practices of centralized governance and regulatory intervention.

The article devotes particular attention to the role of external quality assurance systems in shaping the practical boundaries of academic freedom and institutional autonomy. In European higher education policy, quality assurance is increasingly viewed as a development-enhancing mechanism based on institutional self-evaluation, collegial peer review, and the principle of fitness for purpose, as reflected in the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)⁹.

¹ Karran, T., *Academic Freedom in Europe: A Preliminary Comparative Analysis*, "Higher Education Policy", Vol. 22, no. 3, 2009, pp. 263-264.

² Council of Europe, *Academic Freedom and Institutional Autonomy*, Strasbourg, Council of Europe Publishing, 2020, pp. 9-12.

³ Altbach, P. G., Reisberg, L., and Rumbley, L. E. *Trends in Global Higher Education: Tracking an Academic Revolution*, Rotterdam, Sense Publishers, 2009, pp. 23-25.

⁴ UNESCO, *Higher Education in the Former Soviet Union: Problems and Prospects*, Paris: UNESCO Publishing, 2003, pp. 11-14.

⁵ Chankseliani, M., *Soviet Legacies in Higher Education Governance*, "Comparative Education Review", Vol. 57, no. 3, 2013, pp. 403-405.

⁶ Estermann, T., Nokkala, T., and Steinle, M., *University Autonomy in Europe II*. Brussels, European University Association, 2011, pp. 17-19.

⁷ EHEA Ministerial Conference. Prague Communiqué (2001); Leuven/Louvain-la-Neuve Communiqué (2009).

⁸ European University Association, *University Autonomy in Europe III: The Scorecard 2016*. Brussels, EUA, pp. 7-10.

However, in post-Soviet governance contexts, quality assurance mechanisms frequently assume a regulatory or supervisory character, which has significant implications for universities' capacity to make autonomous decisions¹⁰.

Against this background, the article pursues three interrelated objectives. The first is to analyze the constitutional and legislative frameworks governing academic freedom and institutional autonomy in the Baltic States and the South Caucasus, and to identify their principal similarities and differences. The second objective is to assess the practical implementation of these legal guarantees through governance models and quality assurance procedures, with particular attention to the role of national quality assurance agencies and their engagement in European networks such as ENQA and EQAR. The third objective is to evaluate the impact of Europeanization – as a process of normative and institutional convergence – on strengthening the protection of academic freedom and institutional autonomy.

By comparing two post-Soviet regions characterized by distinct integration pathways and governance outcomes, the article seeks to develop a deeper understanding of how legal norms, quality assurance models, and political context interact in shaping the actual conditions under which universities operate. In doing so, the study moves beyond formal declarations and aims to identify the structural factors that facilitate or constrain the transformation of academic freedom and institutional autonomy from constitutional principles into lived institutional practice.

2. Methodology and Analytical Framework

This study employs a qualitative comparative legal and policy analysis to examine the regulation and practical implementation of institutional autonomy and academic freedom in six post-Soviet countries: Estonia, Latvia, Lithuania, Georgia, Armenia, and Azerbaijan. The selection of these countries is based on their shared Soviet legacy and their divergent trajectories of higher education reform after independence. While the Baltic States have followed a path of early and consistent integration into the European Union and the European Higher Education Area, the South Caucasus countries demonstrate more heterogeneous patterns of legal development, governance reform, and Europeanization.

The analysis is based on three interrelated levels. First, the study examines the constitutional and legislative recognition of academic freedom and institutional autonomy, with particular attention to the hierarchical status of relevant legal guarantees. Second, it considers the practical implementation of these guarantees through university governance arrangements, the role of the state, and the degree of institutional discretion enjoyed by higher education institutions. Third, the article analyses the role of external quality assurance systems, including the extent to which national quality assurance agencies operate in accordance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), and whether their procedures function primarily as developmental, supportive mechanisms or as instruments of regulatory control.

⁹ ENQA, ESU, EUA, EURASHE. *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)*, Brussels, 2015, pp. 19-21.

¹⁰ Bergan, S., *Academic Freedom and Institutional Autonomy*, Strasbourg, Council of Europe Publishing, 2020, pp. 21-25.

The analytical criteria applied in this study are summarized in Table 1. These criteria are used consistently throughout the country and regional comparisons in order to assess not only the formal legal recognition of academic freedom and institutional autonomy, but also their practical enforceability and institutional embeddedness.

Table 1 - Analytical criteria used for the comparative analysis

Analytical dimension	Main criterion	Relevance for the study	Main sources examined
Constitutional recognition	Whether academic freedom and/or institutional autonomy are explicitly protected at constitutional level	Determines the hierarchical strength and stability of legal protection	National constitutions; constitutional provisions on education, science, academic freedom and university autonomy
Sectoral legislative framework	Whether higher education laws define and operationalize institutional autonomy and academic freedom	Shows how constitutional or general guarantees are translated into concrete legal rights and institutional powers	Higher education laws; education laws; legal acts regulating HEIs
Scope of institutional autonomy	Organizational, academic, financial and staffing autonomy of higher education institutions	Assesses the practical capacity of universities to make independent institutional decisions	EUA autonomy reports; national legislation; higher education policy documents
Quality assurance mode	Whether external QA is based on selfevaluation, peer review, fitness for purpose and followup	Indicates whether QA supports autonomous institutional development or functions as administrative supervision	ESG 2015; ENQA/EQAR materials; national QA agency procedures
Role of QA agencies	Degree of agency independence and the nature of its intervention in programme/institutional evaluation	Helps evaluate whether QA agencies protect, balance or constrain institutional autonomy	QA agency methodologies; accreditation/authorization procedures; ENQA and EQAR references
Practical enforceability	Availability and effectiveness of mechanisms for protecting academic freedom and autonomy in practice	Distinguishes formal legal recognition from actual implementation	Judicial practice, policy literature, academic studies, comparative reports
Europeanization and integration	Degree of integration into EU/EHEA frameworks and European QA networks	Explains regional divergence between the Baltic States and the South Caucasus	EHEA documents; EUA reports; ENQA/EQAR membership and registration data

3. Legal and Conceptual Framework of Institutional Autonomy and Academic Freedom

3.1 Academic Freedom and Institutional Autonomy: International Definitions and the Post-Soviet Context

In contemporary higher education systems, academic freedom is regarded as a fundamental principle that guarantees the right of academic staff and students to engage freely in teaching, research, and the dissemination of knowledge without external political or ideological interference - a condition that was particularly problematic under the Soviet educational model, where academic activity was subject

to strict state control¹¹. Institutional autonomy, encompassing organizational, academic, financial, and staffing dimensions, has emerged as one of the central objectives of higher education reforms in post-Soviet countries, particularly following their engagement in the Bologna Process and the European Higher Education Area¹². UNESCO's Recommendation explicitly links academic freedom to institutional autonomy. According to UNESCO, institutional (academic) autonomy refers to the right of higher education institutions to determine their own academic policies, internal governance structures, and research priorities independently, without direct interference from the state. The document emphasizes that the effective protection of individual academic freedoms is not possible in the absence of a sufficient degree of institutional autonomy¹³.

In documents developed by the Council of Europe, academic freedom is regarded as an integral part of the human rights system and is closely linked to freedom of expression and the right to education. The Council emphasizes that academic freedom encompasses not only the freedom of teaching and research, but also the right of the academic community to participate in institutional governance processes. Institutional autonomy, in turn, is defined as the capacity of universities to make independent decisions in academic, organizational, financial, and staffing matters without excessive state regulation. This approach is particularly significant for countries with a historical legacy of centralized educational governance, such as post-Soviet states¹⁴.

Within the European Higher Education Area, academic freedom and institutional autonomy are recognized as core values in the policy documents of the European University Association (EUA). The EUA defines academic freedom as a prerequisite for ensuring the academic quality of universities and maintaining public trust, while institutional autonomy is understood as a fundamental condition that enables universities to manage their resources and strategic development responsibly¹⁵.

In the political declarations and communiqués adopted within the framework of the Bologna Process, academic freedom is not explicitly or systematically defined, however, it is implicitly embedded in concepts such as institutional responsibility, quality culture, and the role of universities in democratic society. Bologna Process documents conceptualize institutional autonomy as a necessary precondition for effective quality assurance and international competitiveness¹⁶.

In the post-Soviet context, these international definitions acquire particular significance, given that the Soviet education model was based on strict state control over academic activity and the practical absence of institutional autonomy. Consequently, the contemporary understanding of academic freedom and institutional autonomy in post-Soviet countries entails not only a legal transformation, but also a broader normative and cultural shift¹⁷.

¹¹ Altbach, P. G., *Academic Freedom in the Age of Globalization*, Rotterdam, Sense Publishers, 2001, pp. 205-220.

¹² Estermann, T., Nokkala, T., Steinel, M., *University Autonomy in Europe II*, Brussels: EUA, 2011, pp. 7-45

¹³ UNESCO, *Recommendation concerning the Status of Higher-Education Teaching Personnel*. Paris: UNESCO, 1997, pp. 17-18

¹⁴ Bergan, S., *Academic Freedom...*, cit., pp. 12-16

¹⁵ European University Association (EUA), *University Autonomy in Europe III: The Scorecard 2016*. Brussels, European University Association, 2016, pp. 5-7.

¹⁶ European Higher Education Area (EHEA), *Ministerial Communiqués of the Bologna Process (Prague 2001–Paris 2018)*, Brussels: EHEA Secretariat, pp. 2001-2018.

¹⁷ Altbach, P. G., *Academic Freedom in the Age...*, cit., pp. 206-208.

4. Institutional Autonomy and Academic Freedom in the Baltic States

4.1 Legal Framework of Academic Freedom and Institutional Autonomy

The Baltic States restored their independence from the Soviet Union in 1990 - 1991, after which they embarked on the establishment of new constitutional orders. The constitutions of Estonia and Lithuania were adopted in 1992, while Latvia reinstated its 1922 Constitution in 1993. In all three cases, the constitutions provide protection for academic freedom; in addition, the Lithuanian Constitution explicitly recognizes the institutional autonomy of universities. In Estonia and Latvia, institutional autonomy is derived from the constitutional protection of academic freedom and is subsequently specified in sectoral legislation¹⁸.

With regard to judicial practice in the protection of academic freedom and institutional autonomy, the volume of case law addressing these issues in the Baltic States remains limited. Most cases arise within the jurisdiction of constitutional courts and are relatively few in number; however, in Lithuania this jurisprudence has clear doctrinal significance, whereas in Estonia and Latvia judicial intervention has been more infrequent and indirect¹⁹. It may be argued that the limited volume of judicial practice concerning academic freedom and institutional autonomy should not be interpreted unambiguously. In the Baltic States, this situation may simultaneously indicate the presence of strong constitutional frameworks and high levels of institutional trust, as well as the underutilization of available legal protection mechanisms.

The accession of the Baltic States to the European Union in 2004 has had a significant impact on the practical enforcement of legislative regulations aimed at protecting academic freedom and institutional autonomy²⁰. Although European Union law does not directly regulate the content of higher education or the governance models of universities²¹, integration into the European Union has created a normative and institutional framework that has contributed to the strengthening of the rule of law, accountability, and institutional stability within the Member States²². Under these conditions, academic freedom and institutional autonomy have increasingly become legally enforceable principles in practice, rather than merely formally declared norms²³. Moreover, European Union membership has enabled the systematic participation of universities in European educational and research programmes, the effective utilization of which is closely linked in practice to autonomous institutional governance and minimum guarantees of academic independence²⁴.

Higher education reforms in the Baltic States are characterized by consistency and a clear European orientation, which is reflected in the broad academic and organizational autonomy of universities. In

¹⁸ Constitution of the Republic of Estonia (1992), art. 38; Constitution of the Republic of Lithuania (1992), art. 42; Constitution of the Republic of Latvia (Satversme) (1922/1993), art. 113. Karran, T., *Academic Freedom in Europe...*, cit., pp. 268-272. Bergan, S., *Academic Freedom and...*, cit., pp. 14-16.

¹⁹ Karran, T., *Academic Freedom in Europe...*, cit., pp. 268-273. Estermann, T., Nokkala, T., Steinell M., *University Autonomy ...*, cit., pp. 42-45. Bergan, S., *Academic Freedom and...*, cit., pp. 16-18.

²⁰ European Union, *Treaty of Accession 2003*, Official Journal of the European Union, L 236, 23 September 2003; entered into force 1 May 2004.

²¹ *Treaty on the Functioning of the European Union (TFEU)*. Art. 165, which reserves the content of education to the competence of Member States.

²² European Union, *Consolidated Version of the Treaty on European Union (TEU)*. Art. 2 (values of the Union: democracy, rule of law, respect for human rights).

²³ Bergan, S., *Academic Freedom and...*, cit., pp. 17-19.

²⁴ Estermann, T., Nokkala, T., Steinell, M., *University Autonomy ...*, cit., pp. 44-45.

Estonia, legislation grants universities the authority to independently determine the content of study programmes, research priorities, and criteria for the selection of academic staff, thereby reducing the scope for state intervention in practice²⁵.

The cases of Latvia and Lithuania demonstrate that institutional autonomy is reinforced through collegial governance structures and independent quality assurance agencies that operate in line with the ESG and do not engage in substantive control over programme content. In these countries, academic freedom has been consolidated not only as a legal norm but also as an institutional culture, which distinguishes them markedly from other regions of the post-Soviet space²⁶.

4.2 The Role of Quality Assurance Agencies in Safeguarding Academic Freedom and Institutional Autonomy

In the Baltic States, quality assurance agencies - Estonian Quality Agency for Education (HAKA), Academic Information Centre (AIKA), and Centre for Quality Assessment in Higher Education (SKVC) - play a supportive and balancing role in safeguarding institutional autonomy and academic freedom. An ESG-based evaluation model, the centrality of self-evaluation, and collegial peer review ensure that external quality assurance does not turn into substantive control over academic activity, but instead promotes the autonomous and responsible functioning of universities²⁷.

Comparative legal and institutional assessments suggest that the Baltic States display varying, but in several respects relatively developed, safeguards for academic freedom and institutional autonomy. In particular, Estonia demonstrates comparatively strong institutional-autonomy arrangements, while Latvia and Lithuania show differentiated levels of autonomy across organisational, financial, staffing and academic dimensions. These assessments examine legal and governance frameworks rather than academic staff members' individual awareness of, or perceptions regarding, the practical protection of these rights²⁸. In these countries, quality assurance systems primarily perform a developmental function and are less frequently used as instruments of administrative control, which is particularly important for the preservation of institutional autonomy²⁹.

In the Baltic States, the membership of quality assurance agencies in the European Association for Quality Assurance in Higher Education and their registration in the European Quality Assurance Register for Higher Education have had a significant, albeit indirect, impact on the protection of academic freedom and institutional autonomy. Frameworks based on the Standards and Guidelines for Quality Assurance in the European Higher Education Area have strengthened the independence of agencies, limited

²⁵ Ivi, pp. 7-45.

²⁶ Bergan, S., *Academic Freedom and ...*, cit., pp. 12-25.

²⁷ ENQA, ESU, EUA, and EURASHE, *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG 2015)*, Brussels, 2015, pp.19-20 (ESG 2.3), p. 27 (ESG 2.4-2.7). Estonian Quality Agency for Education (HAKA), *Institutional Accreditation Requirements and Procedure*, Tallinn, 2025, pp. 2-3 (Self-assessment/SER), 6 (Assessment visit), pp. 11-13 (Quality Assessment Council decision; publication; follow-up). Academic Information Centre / AIKA, *Methodology for the Assessment and Accreditation of Study Fields*, Riga, 2024, pp. 3-5 (SER requirement and responsibility), p. 11 (assessment visit meetings), pp. 16-17 (decision and publication). Centre for Quality Assessment in Higher Education (SKVC), *"External QA Framework", Key stages in the review process* (self-evaluation; site-visit; report; follow-up; complaints).

²⁸ Karran, T., "Academic Freedom in Europe: Time for a Magna Charta?," *"Higher Education Policy"* Vol. 22, no. 2, 2009, pp. 163-189, esp. 169-186; Estermann, T., Nokkala T., Steinel, M., *University Autonomy in Europe II: The Scorecard*. Brussels: European University Association, 2011, pp. 13-20, pp. 53-64.

²⁹ Harvey, L., Williams J. *Fifteen Years of Quality in Higher Education*, "Quality in Higher Education", Vol. 16, no. 1, 2010, pp. 80-85.

the scope of external quality assurance intervention, and fostered a collegial, self-evaluation-based assessment culture, thereby supporting the autonomous and responsible functioning of universities³⁰.

5. Institutional Autonomy and Academic Freedom in the South Caucasus Countries

5.1 Legal Framework of Academic Freedom and Institutional Autonomy

Among the South Caucasus countries, the constitutions of Armenia and Azerbaijan recognize the freedom of scientific and creative activity, which is generally regarded as a constitutional foundation for academic freedom. At the same time, in neither case is the institutional autonomy of higher education institutions explicitly defined at the constitutional level. By contrast, Georgia stands out within the South Caucasus for the simultaneous and explicit constitutional recognition of both academic freedom and the institutional autonomy of higher education institutions³¹.

Studies conducted by the European University Association (EUA) reflect varying degrees of institutional autonomy and academic freedom across the South Caucasus countries. Georgia is characterized as a transitional system in which the legal foundations of autonomy are gradually being translated into practical mechanisms, whereas in Armenia - and particularly in Azerbaijan - higher education governance remains highly centralized and the exercise of institutional autonomy is significantly constrained³².

5.2 The Role of Quality Assurance Agencies in Ensuring Academic Freedom and Institutional Autonomy

In the South Caucasus countries - Georgia, Armenia, and Azerbaijan - quality assurance agencies perform a dual role in the process of safeguarding academic freedom and institutional autonomy³³. On the one hand, they ensure the formal implementation of European quality standards (ESG), including the mandatory use of self-evaluation reports, the conduct of collegial peer reviews, and the public availability of evaluation reports³⁴. This contributes to the normative legitimization of university autonomy. On the other hand, within national governance contexts, their activities frequently assume a regulatory and control-oriented character, manifested in the imposition of detailed requirements on the substantive elements of study programmes³⁵.

In this context, external quality assurance agencies perform a dual function: on the one hand, they contribute to the enhancement of quality and accountability; on the other hand, their highly detailed

³⁰ ENQA, ESU, EUA, and EURASHE, *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG 2015)* (Brussels: ENQA, 2015), pp. 19-20. (ESG 2.3: independence and processes), p. 27 (ESG 2.4-2.7: self-evaluation, peer review, publication, follow-up).

³¹ Constitution of the Republic of Armenia (1995, as amended), arts. on freedom of scientific and creative activity; Constitution of the Republic of Azerbaijan (1995), arts. on freedom of scientific and creative activity; Constitution of Georgia (1995, as amended in 2018), art. 16(1) ("Academic freedom and the autonomy of higher education institutions are guaranteed").

³² EUA, *University Autonomy in Europe III: The Scorecard 2016*; Estermann, T., Nokkala, T., Steinel, M., *University Autonomy in Europe II*, EUA, 2011, pp. 42-46.

³³ *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)*, Brussels, 2015, pp.19-21.

³⁴ Ibid. (Standards 2.3-2.7, incl. self-assessment, site visit, reporting, publication, complaints/appeals).

³⁵ Law of the Republic of Azerbaijan on Education (Baku: 2009, as consolidated translation), 14 (Art. 16.3: accreditation includes "educational programs" and compliance with national standards and other normative-legal requirements).

standards are at times perceived as constraining institutional autonomy³⁶. This dilemma is particularly evident in Georgia, where the alignment of the quality assurance system with European standards has simultaneously generated debates regarding the scope and limits of institutional freedom³⁷.

Membership of quality assurance agencies in the South Caucasus countries in European Association for Quality Assurance in Higher Education has had a significant, though indirect, impact on the protection of academic freedom and institutional autonomy. Frameworks based on the Standards and Guidelines for Quality Assurance in the European Higher Education Area have contributed to the de-interventionization of quality assurance processes and strengthened the professional independence of agencies. At the same time, within national governance contexts, ENQA's influence remains structurally limited and cannot substitute for the direct legal protection of academic freedom and institutional autonomy.

6. Legal Guarantees and Practical Implementation of Academic Freedom and Institutional Autonomy: Evidence from the Baltic States and the South Caucasus

6.1 Legal Guarantees: A Comparative Analysis of Constitutional and Legislative Frameworks

In the Baltic States - Estonia, Latvia, and Lithuania - academic freedom and the institutional autonomy of higher education institutions are regarded as fundamental constitutional principles, granting universities a strong legal status as academically independent institutions vis-à-vis the state. The Lithuanian Constitution explicitly recognizes university autonomy, while in Estonia and Latvia academic freedom and educational self-governance form an integral part of constitutional doctrine and are subsequently specified in sectoral legislation³⁸.

In the South Caucasus, the legal landscape is more heterogeneous. Georgia is distinctive in that its constitution explicitly guarantees both academic freedom and the autonomy of higher education institutions, thereby conferring upon these principles the status of fundamental constitutional guarantees³⁹. By contrast, the constitutions of Armenia and Azerbaijan recognize academic freedom only indirectly - through the freedom of scientific and creative activity - while the institutional autonomy of universities is not defined at the constitutional level and is regulated solely through sectoral legislation⁴⁰.

The comparative analysis demonstrates that in the Baltic States academic freedom and institutional autonomy are more clearly entrenched at the constitutional level, whereas in the South Caucasus legal guarantees are often fragmented and dependent on norms established by the executive branch, creating legal uncertainty with regard to their practical realization⁴¹.

³⁶ Harvey, L., Williams, J., *Fifteen Years of Quality...*, cit.

³⁷ Chankseliani, M., *Higher Education Reform in the Post-Soviet Space*, London, Routledge, 2013, pp. 85-100.

³⁸ Constitution of the Republic of Lithuania; Constitution of the Republic of Estonia; Constitution of the Republic of Latvia.

³⁹ Constitution of Georgia, art. 16(1).

⁴⁰ Constitution of the Republic of Armenia (1995); Constitution of the Republic of Azerbaijan (1995).

⁴¹ Karran, T., *Academic Freedom in Europe...*, cit., pp. 268-272.

6.2 Practical Implementation: Quality Assurance, Governance, and Institutional Practice

Differences in legal frameworks are clearly reflected in the practical implementation of academic freedom and institutional autonomy. In the Baltic States, quality assurance agencies operating on the basis of the Standards and Guidelines for Quality Assurance in the European Higher Education Area and holding membership in the European Association for Quality Assurance in Higher Education, as well as registration in the European Quality Assurance Register for Higher Education, primarily perform a balancing and supportive function. Within evaluation processes, emphasis is placed on internal quality assurance systems, institutional capacity, and the principle of fitness for purpose, which limits external interference in the substantive content of academic activities and strengthens the accountable autonomy of universities⁴².

In the South Caucasus countries, quality assurance agencies also formally rely on ESG principles and are engaged in European networks; however, in practice their activities frequently assume a regulatory and control-oriented character. Evaluation processes are more closely linked to administrative decisions (such as authorization, accreditation, and sanctions), and programme assessments often involve detailed requirements concerning substantive content, thereby narrowing the practical space for the exercise of academic freedom⁴³.

Differences are also evident at the level of institutional governance. In the Baltic States, universities enjoy broad discretion in the formation of governing bodies, the determination of academic structures, and the setting of strategic priorities, whereas in the South Caucasus the role of the state in university governance remains strong and often constrains the effective scope of institutional self-governance⁴⁴.

As a result, although academic freedom and institutional autonomy are formally declared in the South Caucasus countries, their practical implementation lags significantly behind the Baltic model, where constitutional guarantees, a supportive logic of quality assurance, and an institutional environment strengthened through European Union integration provide a more sustainable foundation for the realization of these principles⁴⁵.

The main comparative findings of the analysis are summarized in Table 2. The table does not replace the country-level discussion presented above, but synthesizes the principal regional patterns concerning legal guarantees, quality assurance, governance, and practical implementation.

⁴² ENQA, ESU, EUA, EURASHE, *Standards and Guidelines for...*, cit., pp. 19-21, p.27.

⁴³ Bergan, S., *Academic Freedom and ...*, cit.

⁴⁴ Estermann, T., Nokkala, T., Steinel, M., *University Autonomy...*, cit., pp. 42-46.

⁴⁵ European University Association, *University Autonomy in Europe III*, The Scorecard, 2016.

Table 2 - Comparative Findings on Legal Guarantees, Quality Assurance, Governance and Practical Implementation

Analytical dimension	Baltic States	South Caucasus
Constitutional and legal recognition	Academic freedom is constitutionally protected in all three Baltic States, while university autonomy is explicitly recognized in Lithuania and further developed through sectoral legislation in Estonia and Latvia.	The legal picture is more heterogeneous. Georgia explicitly guarantees both academic freedom and institutional autonomy at constitutional level, while Armenia and Azerbaijan recognize academic freedom mainly indirectly through scientific and creative freedom, and institutional autonomy is primarily regulated by sectoral legislation.
Hierarchical strength of legal guarantees	Legal guarantees are comparatively stronger and more stable due to constitutional recognition, EU membership, and the consolidation of rule-of-law institutions.	Legal guarantees are more fragmented and, in some cases, dependent on ordinary legislation or administrative regulation, which may weaken their practical stability
University governance and institutional discretion	Universities generally enjoy broader discretion in academic, organizational, staffing, and strategic matters, supported by governance cultures based on institutional trust and accountability.	State influence over university governance remains stronger, and institutional discretion is more frequently limited by centralized governance traditions and administrative regulation
Quality assurance model	External quality assurance is mainly developmental and supportive, emphasizing self-evaluation, peer review, fitness for purpose, follow-up, and institutional responsibility.	Quality assurance formally relies on ESG principles, but in practice it more often performs a regulatory or control-oriented function, especially where evaluation is closely linked to authorization, accreditation, sanctions, or detailed programme requirements
Role of QA agencies	QA agencies generally act as balancing mechanisms that support accountable autonomy and limit excessive external interference in academic matters.	QA agencies play a dual role: they promote European standards and accountability, but may also narrow institutional autonomy when procedures become overly prescriptive or supervisory.
Europeanization and integration	EU membership, participation in EHEA reforms, and integration into ENQA/EQAR frameworks have reinforced institutional stability and quality assurance cultures.	QA agencies play a dual role: they promote European standards and accountability, but may also narrow institutional autonomy when procedures become overly prescriptive or supervisory.
Practical implementation	Academic freedom and institutional autonomy are more likely to function as enforceable and institutionally embedded principles.	Formal recognition does not always translate into effective implementation; practical protection depends heavily on governance culture, legal enforcement, and institutional capacity.
Overall pattern	The Baltic model reflects a stronger alignment between legal guarantees, institutional governance, and developmental quality assurance.	The South Caucasus model reflects a greater gap between formal legal recognition and practical realization, although Georgia demonstrates closer approximation to the European model than Armenia and Azerbaijan.

Table 2 shows that the main distinction between the two regions does not lie only in the existence or absence of formal legal guarantees. Rather, the decisive difference concerns the extent to which these guarantees are supported by institutional practice, quality assurance culture, governance arrangements, and broader European integration. In this respect, the Baltic States demonstrate a higher degree of alignment between law and practice, whereas the South Caucasus countries reveal a more fragmented and uneven pattern of implementation.

7. Conclusion

This study has demonstrated that academic freedom and institutional autonomy in post-Soviet countries constitute not merely legal categories, but processes of normative and institutional transformation, the quality and depth of which differ significantly between the Baltic States and the South Caucasus. The comparative analysis has shown that these two regions follow distinct trajectories with regard to both the legal definition of academic freedom and institutional autonomy and their practical implementation.

In the Baltic States, academic freedom and the institutional autonomy of universities are firmly entrenched at the constitutional level and further elaborated in sectoral legislation, creating a strong and stable legal framework. The practical effectiveness of this framework is closely linked to European Union integration, European models of quality assurance, and a governance culture based on institutional trust. As a result, academic freedom in these countries functions not merely as a formally declared right, but as a principle that is effectively implemented and institutionally protected in practice.

In the South Caucasus, by contrast, the study reveals a more heterogeneous and internally contradictory picture. Although academic freedom and institutional autonomy are formally recognized at the constitutional and legislative levels, their practical realization remains highly dependent on national governance models, administrative regulation, and the historically embedded legacy of centralized control. In this context, Georgia represents a particularly noteworthy case: while its legal guarantees are closer to the European model, significant challenges persist in the effective implementation of institutional autonomy.

The analysis further demonstrates that quality assurance agencies play an important, yet differentiated, role across the two regions. In the Baltic States, these agencies largely function as supportive and balancing mechanisms that reinforce academic freedom and institutional autonomy. In the South Caucasus, however, quality assurance practices more frequently assume a regulatory and control-oriented character. Despite formal reliance on European standards and participation in European networks, quality assurance systems in the South Caucasus have not fully moved beyond the logic of administrative oversight, thereby constraining the practical space for academic freedom.

Overall, the findings confirm that the effective protection of academic freedom and institutional autonomy in post-Soviet countries depends not only on formal legal declarations, but on a broader institutional environment encompassing governance models, quality assurance culture, judicial protection mechanisms, and the degree of European integration. The experience of the Baltic States illustrates how the alignment of these elements can create a sustainable foundation for the realization of academic freedom, whereas in the South Caucasus the strengthening of this process remains a significant and ongoing challenge.

Finally, this study highlights the need for further research that examines the practical implementation of academic freedom and institutional autonomy at the institutional level, including the perceptions of the academic community and the development of judicial practice. Future research could also benefit from a more systematic engagement with theoretical frameworks from public policy, governance

studies, and regulatory theory. Such approaches would make it possible to examine more closely the interaction between higher education institutions, quality assurance agencies, ministries, and other regulatory actors, and to assess how legal guarantees are mediated by policy instruments, administrative practices, accountability mechanisms, and institutional power relations. This would contribute not only to the advancement of theoretical understanding, but also to the improvement of policy-making and quality assurance systems within the post-Soviet higher education space.

Future research could further deepen this analysis by engaging more systematically with theoretical frameworks from public policy, governance studies, and regulatory theory. Such approaches would make it possible to examine more closely the interaction between higher education institutions, quality assurance agencies, ministries, and other regulatory actors. In particular, future studies could explore how formal legal guarantees of academic freedom and institutional autonomy are mediated by policy instruments, administrative practices, accountability mechanisms, and institutional power relations. This would contribute to a more nuanced understanding of the conditions under which legal guarantees are transformed into effective institutional practice.

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